



# GREY2K USA

December 21, 2010

Mayor Jennifer Eckstrom  
City of South Tucson  
1601 South Sixth Avenue  
South Tucson, AZ, 85713

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Dear Mayor Eckstrom,

I am the President and General Counsel of GREY2K USA, a national, non-profit greyhound protection organization. Recently, in an effort to determine how greyhounds live at Tucson Greyhound Park (TGP), we retained a team of independent investigators. Our investigators initially visited the kennel compound on July 20, 2010 and were invited into the kennel compound on August 26, 2010. There, they witnessed living conditions and documented statements made by track and kennel personnel.<sup>i</sup>

Please consider this a formal complaint, pursuant to the South Tucson City Code pertaining to animal cruelty and neglect, as amended by local initiative on November 4, 2008.

Our investigators exposed two clear violations of the Dog Protection Act.

1. Investigators documented the use of "4-D" meat from diseased and downed animals. As you know, subsection (b)(1) of section 3.3 of the South Tucson City Code prohibits the feeding of such meat:

"No person shall knowingly feed a dog uncooked or raw meat from diseased, dying, or disabled animals or animals dead upon arrival at the slaughterhouse."

Video footage taken by our investigators demonstrates the use of prohibited 4-D meat by Kennel #4 at TGP. The use of 4-D meat is further established in statements made by the greyhound trainer responsible for this kennel. He does not use the term "4-D" but his reference is clear. As our investigators' transcript reads:

Trainer: (Inaudible) . . . **This is sick cows, you know, and they doctor them up or they medicine them up, and then they butcher them and sell us the meat, and they grind charcoal up in it to kill bacteria.** (11:10:19) (emphasis added)

<sup>i</sup> A full transcript of this investigation, along with relevant video excerpts, is enclosed with this complaint.

## PROTECTING GREYHOUNDS NATIONWIDE

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The industry handbook, *Care of the Racing and Retired Greyhound*, confirms the common use of 4-D meat and describes the substance as follows:

“The source of the meat in the United States for the majority of racing kennels comes from abattoirs that have commercial products of 4-D meat for Greyhounds (in some cases, 3-D). **The “D” stands for dying, diseased, disabled and dead livestock ... The United States Department of Agriculture requires the addition of denatured charcoal to 4-D meat to make it unfit for human consumption.**”<sup>ii</sup> (emphasis added)

Further, statements made by the greyhound trainer for Kennel #4 confirm that all of the TGP kennels use this meat. He states that it is purchased at the price of 46 cents per pound directly from the track through a system of purse payment deductions. Therefore, TGP not only knows of, but facilitates, this particular violation of the City Code. The transcript reads as follows:

Inv #3: Looks like everyone uses that food? Looks like the same food you got. (11:15:29)

Inv #4: See, I think that’d be cool, yeah, that’d be cool to do. (11:15:34)

Trainer: Yeah. (inaudible) **See, like when you running, the track deliver all this stuff. Like, the meat is like 46 cents a pound.** The meal is like 25 cents a bag, I mean, 25 dollars a bag, **so every Monday they deliver and then after the week, at the end of the week, they just take that out of your check they give you, your paycheck, so you don’t have to worry about buying your meat and meal.** (11:16:00) (emphasis added)

2. Secondly, investigators also documented that greyhounds endure lives of cruel confinement, another violation of the City Code. Subsection (b)(4) of section 3.3 instructs:

“**No person shall confine a dog to a crate or cage** smaller than 35 inches high by 45 inches long by 35 inches wide **for more than a total of eighteen hours in any twenty-four period** unless such confinement is deemed medically necessary by a veterinarian licensed by the state of Arizona.” (emphasis added)

Our investigation showed that dogs at TGP spend more than eighteen hours in confinement, they are kept in stacked cages, and are turned out several times a day merely to relieve themselves. According to statements made by a track security guard, “turn-outs” must occur four times a day:

Guard: What you’ve got to do is just put a piece of carpet down on their floor and that’s where they’ll sleep. You see, they’re a creature of habit. And these kennels here, they come in, some of them at 5:30 in the morning and turn them out. **They have to be turned out four times a day . . .** (unintelligible) (12:52:27) (emphasis added)

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<sup>ii</sup> Linda L. Blythe, James R. Gannon, A. Morrie Craig, Desmond P. Fegan, *Care of the Racing and Retired Greyhound*, page 151, American Greyhound Council, 2007.

However, information provided by the trainer for Kennel #4 seem to belie even this minimal standard of care. The greyhounds in his custody may not be turned out at all after 2:00 PM each afternoon:

Trainer: **They usually go back out about 2 o'clock and be done for the day.** (inaudible) and we're done for the day. We'll come back at 2, put them out, and around 5 we weigh the racers in, and then . . . (10:58:21)  
Inv #3: You . . . how many dogs do you put in there at a time? (10:58:23)  
Trainer: Well, I can put all my girls in there at a time. (10:58:26) (emphasis added)

Regarding the temporal length of turnouts, in order for the kennels at TGP to comply with the relevant City Code, each of the four daily turnouts must consist of 90 minutes on average. This is clearly not the case. According to statements made by the trainer for Kennel #4:

Inv #3: You leave them out for a couple of hours, right? (10:58:04)  
Trainer: **No.** (10:58:05) (emphasis added)

The trainer then provides more detail a few moments later:

Trainer: Mellow, like **when I turn them out, they all go out in the pen, they know what pen to go in, they use the bathroom, you know, and sit around, and you go out and pick up the poop, and then you put them back up. That's not hard.** (11:23:44) (emphasis added)

In conclusion, we are highly concerned about the apparent willingness of Tucson Greyhound Park to condone and in fact, to aid clear violations of the City Code pertaining to animal cruelty and neglect. Therefore, we ask that you investigate this situation immediately.

We are counting on your office to examine the evidence presented, and take swift action against offenders. As you know, available penalties include individual fines of up to \$2,500, six months in jail and three years probation.

If I may offer further assistance, or if you have any questions, please feel free to contact me at 617-666-3526.

Sincerely,



Christine A. Dorchak, Esq.  
President and General Counsel